

Message Text

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PAGE 01 PARIS 13543 01 OF 03 071139Z
ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00
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-----071515Z 072202 /46
R 071039Z MAY 77
FM AMEMBASSY PARIS
TO SECSTATE WASHDC 2573
INFO AMEMBASSY LONDON

LIMITED OFFICIAL USE SECTION 01 OF 03 PARIS 13543

E.O. 11652 N/A
TAGS: EAIR, FR, US
SUBJECT: CIVAIR: NATIONAL'S MIAMI-PARIS OPERATION

REF: PARIS 13337

1. WE CALLED ON CLAUDE-LAFONTAINE AT FOREIGN
MINISTRY MAY 6 TO DISCUSS NATIONAL AIRLINE'S PROBLEM.
WE TOOK THE SAME LINE AS ON PREVIOUS DAY WITH
ESPEROU (REFTEL) AND REVIEWED FOR CLAUDE-LAFONTAINE
THE POINTS THAT HAD BEEN RAISED BY BOTH SIDES
IN THAT EARLIER DISCUSSION. SHE CONFESSED TO HAVING
BEEN BRIEFED FULLY BY ESPEROU ANYWAY IMMEDIATELY
AFTER OUR DISCUSSION WITH HIM, AND OUR CONVERSATION
WITH CLAUDE-LAFONTAINE REVEALED DGAC AND FOREIGN
MINISTRY POSITIONS TO BE OBVIOUSLY WELL COORDINATED.

2. CLAUDE-LAFONTAINE SAID GOF CONCERN OVER WHETHER
NATIONAL'S THROUGH TRAFFIC WOULD SUPPORT FOUR FLIGHTS
WEEKLY WAS WELL JUSTIFIED IN VIEW OF THE PROVISIONS
UNDER THE BILATERAL RELATING CAPACITY TO INTER ALIA THE
VOLUME OF THROUGH TRAFFIC. WHILE WE DID NOT ARGUE THIS
POINT WE EXPRESSED SOME SURPRISE THAT IT HAD TAKEN THE
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PAGE 02 PARIS 13543 01 OF 03 071139Z

GOF OVER A MONTH TO MAKE AN ISSUE OF IT.

3. SHE ECHOED ESPEROU'S CONCERN OVER IMPLICATIONS
OF DEPT.'S RECOMMENDATION TO CAB THAT NATIONAL'S SERVICE
TO PARIS BE CONDITIONED ON SUSPENSION OF ITS SERVICE TO
LONDON AS WELL AS LIKELY DURATION OF NATIONAL SERVICE
TO PARIS. SHE SAID THIS HAD GENERATED A CERTAIN AMOUNT

OF CONFUSION OVER THE FULL IMPORT OF NATIONAL'S APPLICATION WHICH HAD TO BE CLARIFIED BEFORE THE GOF COULD HAND DOWN ITS DECISION. WE RESPONDED ON THESE POINTS JUST AS WE HAD TO ESPEROU, EXPRESSING SURPRISE THERE COULD HAVE BEEN ANY CONFUSION AND ADDING THAT OUR EXPLANATION WOULD ANYWAY NOW SEEM TO HAVE ADEQUATELY CLARIFIED THINGS.

CLAUDE-LAFONTAINE REMARKED THAT EMBASSY'S NOTE DESIGNATING NATIONAL HAD NOT REFERRED TO ANY LIMITATION OF DURATION OF NATIONAL'S AUTHORITY. WE CONCEDED THAT THIS HAD BEEN THE CASE BUT POINTED OUT THAT THIS WAS IMMATERIAL, FOR WHETHER USG FELT COMPELLED TO QUALIFY THE DESIGNATION WAS FOR THE USG ALONE TO DETERMINE. CLAUDE-LAFONTAINE THEN STRESSED NEED FOR GOF TO STUDY CAREFULLY THE TRAFFIC IMPLICATIONS OF NEW US COMPETITOR TO AIR FRANCE ON ATLANTIC ROUTES. WE REPLIED AS WE HAD TO ESPEROU THAT CONCERN OVER DURATION OF NATIONAL'S AUTHORIZATION AND COMPETITIVE IMPACT ON AIR FRANCE WERE IRRELEVANT TO DECISION RESPONSIVE TO USG'S FORMAL DESIGNATION OF NATIONAL. WE HAD THE RIGHT TO DESIGNATE TEN US CARRIERS FOR A GIVEN ROUTE UNDER US-FRANCE BILATERAL YET AUTHORIZE NONE OR ONLY SOME OF THEM TO EXPLOIT THE ROUTE IF WE SO WISHED, BUT THIS WOULD NOT CHANGE MATTERS AS REGARDS OUR RIGHT TO MAKE SUCH DESIGNATIONS AND THE GOF'S OBLIGATION TO ACKNOWLEDGE THEM.

4. CLAUDE-LAFONTAINE SAID NATIONAL'S LIMITED OFFICIAL USE

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PAGE 03 PARIS 13543 01 OF 03 071139Z

DESIRE TO OPERATE FROM CDG ALSO POSED SERIOUS PROBLEMS. DECISIONS ON WHICH CARRIERS OPERATED FROM CDG WERE OFTEN TAKEN NOT BY FOURCADE BUT WERE REFERRED RIGHT UP TO THE PRIME MINISTER. WE SAID THAT WE UNDERSTOOD FRENCH PROBLEMS BUT WE HOPED GOF WOULD MAKE EVERY EFFORT TO ACCOMMODATE NATIONAL'S WISHES AND DEPT.'S DESIRE. WHEN WE NOTED THERE WERE MANY TECHNICAL AND LEGAL ARGUMENTS TO BE MADE IN SUPPORT OF NATIONAL OPERATION AT CDG, SHE INQUIRED ABOUT LEGAL ARGUMENTS AND THEN REMARKED PREDICTABLY THAT IT WAS TOO BAD ARTICLES QUOTED DID NOT APPLY TO CONCORDE AT NEW YORK. WE ATTEMPTED REBUT USING MATERIAL PROVIDED STATE 78673.

5. CLAUDE-LAFONTAINE ASKED HOW WE COULD

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PAGE 01 PARIS 13543 02 OF 03 071146Z
ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00
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FM AMEMBASSY PARIS
TO SECSTATE WASHDC 2574
INFO AMEMBASSY LONDON

LIMITED OFFICIAL USE SECTION 02 OF 03 PARIS 13543

COMPLAIN OF SLOW HANDLING BY GOF OF NATIONAL AUTHORIZA-
TION WHEN IT HAD TAKEN CAB NEARLY A YEAR TO APPROVE
CANCUN SERVICE BY AIR FRANCE. WE DREW ON STATE 90942
FOR REBUTTAL. TORONTO ALSO CAME IN FOR MENTION, WITH
CLAUDE-LAFONTAINE COMPLAINING OVER TIME IT TOOK CAB
TO DECIDE, EVEN TO POINT WHERE CAB HAD JUST AGREED ONLY
TO ONE MONTH TEMPORARY EXTENSION (STATE L00588). WE
REMINDED HER THAT FOR NICE TWA HAD BEEN LIVING WITH
MONTH-TO-MONTH EXTENSIONS FROM DGAC FOR A LONG TIME.

6. CLAUDE-LAFONTAINE ALLUDED ANEW TO DEPT.'S
RECOMMENDATION TO CAB AND SAID THIS HAD POSED PROBLEM
FOR GOF BECAUSE OF FRENCH "SOLIDARITY" WITH UK ON
BERMUDA. WHEN WE ASKED WHETHER THIS MEANT THAT GOF
"SOLIDARITY" CARRIED OVER TO SUPPORT OF UK POSITION IN
US-UK NEGOTIATIONS, CLAUDE-LAFONTAINE SAID "SOLIDARITY"
REFERRED SPECIFICALLY TO CONCORDE. WHEN WE PRESSED ON
TO ASK WHETHER THIS MEANT THAT GOF ATTACHED MORE
IMPORTANCE TO ITS "SOLIDARITY" WITH UK THAN TO
"SOLIDARITY" WITH US AS EMBODIED IN THE MUTUAL OBLIGA-
TIONS OF THE US-FRANCE CIVIL BILATERAL, CLAUDE-
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PAGE 02 PARIS 13543 02 OF 03 071146Z

LAFONTAINE REPLIED PETULANTLY THAT WE SHOULD NOT TRY TO PUT WORDS INTO HER MOUTH AND SO WE LET THE MATTER DROP.

7. WHEN AFTER FURTHER PROBING ON OUR PART CLAUDE-LAFONTAINE STILL PROFESSED TO BE UNABLE TO GIVE US ANY INKLING OF WHEN NATIONAL AUTHORIZATION MIGHT BE FORTHCOMING, WE SAID THAT FURTHER DELAY WITHOUT VALID CAUSE WOULD INEVITABLY INVITE QUESTIONING OF GOF'S GOOD WILL IN THIS MATTER. CLAUDE-LAFONTAINE RETORTED THAT IT WAS NOT FOR USG TO LECTURE GOF ON GOOD WILL IN CIVAIR MATTERS THESE DAYS, FOR STRAIN HAD UNDENIABLY BEEN INJECTED INTO OUR BILATERAL CIVAIR RELATIONS BY FAIOURE OF THE DEPT. TO AGREE TO HAVE THE FEDERAL GOVERNMENT ENTER THE CONCORDE LAWSUIT IN NEW YORK AS A FRIEND OF THE COURT AS THE FRENCH AND BRITISH GOVERNMENTS HAD REPEATEDLY URGED. OUR FAILURE TO DO SO HAD PLACED SERIOUSLY IN QUESTION FOR THE GOF THE SINCERITY OF THE FEDERAL GOVERNMENT'S ATTITUDE TOWARD CONCORDE'S PLIGHT AT NEW YORK. WHEN WE ASKED WHETHER THIS MEANT THAT CONCORDE OR ANY OTHER ISSUE OR COMBINATION OF ISSUES WAS RESPONSIBLE FOR THE DELAY IN PROCESSING OF THE NATIONAL DOSSIER, CLAUDE-LAFONTAINE DENIED THAT THERE WAS ANY SPECIFIC TIE-IN. HOWEVER, BECAUSE OF CONCORDE IN PARTICULAR THE CLIMATE TODAY WAS NOT ONE IN WHICH THE USG COULD EXPECT ANY SPECIAL FAVORS FROM THE GOF.

8. BROCK OF NATIONAL SUBSEQUENTLY INFORMED US THAT HIS APPOINTMENT WITH ABRAHAM OF DGAC AFTERNOON OF MAY 6 HAD TURNED OUT TO BE A "NON-MEETING." ON ARRIVAL AT DGAC BROCK WAS INFORMED THAT HIS APPOINTMENT WITH ABRAHAM, MADE A WEEK AND A HALF PREVIOUSLY, HAD BEEN CANCELLED SINCE IT HAD BEEN SUPERSEDED BY THE APPOINTMENT LATER REQUESTED WITH ESPEROU FOR MAY 9. (HOWEVER, NATIONAL'S OFFICE HAD NEVER BEEN NOTIFIED OF THE LIMITED OFFICIAL USE

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PAGE 03 PARIS 13543 02 OF 03 071146Z

CANCELLATION.) WHEN BROCK ASKED TO SEE ABRAHAM ANYWAY AND RETURNED LATER AT THE SUGGESTED HOUR, HE WAS TOLD THAT ABRAHAM WAS UNAVAILABLE AND SO INSTEAD HE WAS RECEIVED BY TWO MEMBERS OF ESPEROU'S STAFF. UNDER THE CIRCUMSTANCES BROCK DID NOT BOTHER ENGAGING IN MUCH SUBSTANTIVE DISCUSSION. ONLY NOTEWORTHY POINT EMERGING

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PAGE 01 PARIS 13543 03 OF 03 071138Z
ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 EPG-02 FAA-00 L-03
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R 071039Z MAY 77
FM AMEMBASSY PARIS
TO SECSTATE WASHDC 2575
INFO AMEMBASSY LONDON

LIMITED OFFICIAL USE SECTION 03 OF 03 PARIS 13543

FROM THAT DISCUSSION WAS REMARK BY ONE OF THE STAFFERS
THAT "SIXTY DAYS" SEEMED NOT EXCESSIVELY LONG TO WAIT
FOR AN AUTHORIZATION.

9. COMMENT: IN VIEW OF THE OFT-REPEATED ASSERTION BY
GOF OFFICIALS AND MINISTERS THAT THE CONCORDE ISSUE
COULD LEAD TO A SERIOUS DETERIORATION IN FRANCO-
AMERICAN RELATIONS, WE ARE NOT SO MUCH SURPRISED AT
CLAUDE-LAFONTAINE'S REMARKS ON THE CLIMATE FOR COOPERA-
TION BETWEEN US AS THE FACT THAT SHE HAS TAKEN SO LONG
TO SAY IT. WHAT WE FOUND PARTICULARLY INTERESTING IN
CLAUDE-LAFONTAINE'S REMARKS, HOWEVER, WAS WHAT WAS SAID
WITH REFERENCE TO THE US-UK NEGOTIATIONS. THIS OFFERS
A VERY PLAUSIBLE EXPLANATION OF WHAT COULD BE MUCH OF
THE REASON FOR FRENCH FOOT-DRAGGING ON THE NATIONAL
DOSSIER AND WHY WE ARE HAVING SO MUCH DIFFICULTY IN
PINNING DOWN THAT REASON. AS DEPT. WILL RECALL, WE HAVE
PREVIOUSLY REPORTED TWO SEPARATE OCCASIONS ON WHICH THE
FRENCH WERE ASKED BY THE BRITISH NEGOTIATORS WHETHER
FRENCH WOULD BE WILLING TO ACCEPT IN PARIS US CARRIER
TRAFFIC DIVERTED FROM LONDON IN THE EVENT OF SUSPENSION
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PAGE 02 PARIS 13543 03 OF 03 071138Z

OF US-UK AIR SERVICE. WE ALSO KNOW THAT FROM TIME TO TIME
THE FRENCH HAVE BEEN UPSET BECAUSE BRITISH SUPPORT FOR

CONCORDE SEEMED OFTEN TO BE LESS ASSERTIVE AND ENTHUSIASTIC THAN THEIR OWN. THE BRITISH HAVE NOW, HOWEVER, RAISED CONCORDE AS AN ISSUE IN THE US-UK NEGOTIATIONS; THIS CAN ONLY BE A SOURCE OF GREAT SATISFACTION TO THE FRENCH. HOWEVER, IT WILL ALSO HAVE GIVEN THE BRITISH GREATER LEVERAGE OVER THE FRENCH TO THE EXTENT THAT THE BRITISH WOULD CONSIDER FRENCH AUTHORIZATION OF NATIONAL SERVICE TO PARIS AS DIMINISHING BRITISH BARGAINING POWER WITH THE US IN THE FINAL, CRUCIAL PHASE OF NEGOTIATIONS ON BERMUDA RENEWAL. IF US-UK AGREEMENT IS NOT REACHED UNTIL JUST BEFORE THE JUNE 23 DEADLINE, THEN THE FRENCH MIGHT BE PREPARED TO GO RIGHT DOWN TO THE WIRE IN WITHHOLDING FINAL AUTHORIZATION OF NATIONAL SERVICE. A PROCEDURAL EXCUSE IS READILY AVAILABLE SINCE THE DGAC'S CIRCULAR OF 1964 REFERRED TO IN PARIS 13028 DOES PROVIDE FOR THREE MONTH ADVANCE FILING OF DOCUMENTATION, AND IF IT WISHED THE DGAC COULD HIDE BEHIND THIS WITH SOME IMPUNITY UNTIL MID OR LATE JUNE. GAMMON

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